

and several subordinate ones, all upon the same model, without destroying the autonomy of the provinces, or breaking the continuity of the prescriptive provinces, in a certain sense, the powers of the federal parliament were derived from the provinces, subject, of course, to the whole being a colonial dependency of the British Crown. The provinces of Quebec and Ontario are by the sixth section of the act, declared to be the same that formerly comprised Upper and Lower Canada. This recognizes their previous existence prior to the union act of 1840. All through the act, these provinces are recognized as having previous existence and a constitutional history upon which the new fabric is based. Their laws remain unchanged, and the constitution is preserved. The offices are the same in name and duties, except as to the office of lieutenant-governor, who is placed in the same relation to the province of Quebec, as that which the governor-general sustained to the late province of Canada. I think it would be a great mistake to ignore the past government powers conferred upon and exercised in the province now called Quebec, in determining the nature and privileges of the legislative assembly of this province. The remark is as common as it is erroneous, that the legislatures of the provinces are mere large municipal corporations. It is true that every government is a corporation; but every municipal corporation is not a government. Consider the powers given exclusively to provincial legislatures. They have sole jurisdiction over education, property and civil rights, the administration of justice and municipal institutions in the province, subjects which affect vitally the welfare of society. The very court which enables us to determine the matter now under consideration holds its existence by the will of the provincial legislature. No such powers were ever conferred upon mere municipalities in their ordinary sense. They are subjects which in all nations are entrusted to the highest legislative power. If these legislative powers confided to provincial legislatures are not to be exercised in all their amplitude with the incidents attaching to them, they can be exercised by no other sovereign power, while our present constitution exists."